

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:)	
)	
Public Safety and Homeland Security Bureau)	
Seeks Comment on Request for Waiver by)	
Los Angeles Regional Interoperable)	RM-11433
Communications System Joint Powers)	
Authority to Apply for 700 MHz "Narrowband)	
Reserve Channels")	
)	

**COMMENTS OF
THE NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL**

The National Public Safety Telecommunications Council (NPSTC) submits these Comments in response to the Commission's Public Notice in the above-captioned proceeding concerning a request by the Los Angeles Regional Interoperable Communications System Joint Powers Authority (LA-RICS), to permit LA-RICS and its member public safety entities in the Los Angeles metropolitan area to apply for licenses for the 700 MHz "narrowband reserve channels" and integrate those frequencies into the LA-RICS radio system.¹ In these comments, NPSTC recognizes the need expressed by LA-RICS and looks forward to resolving whether that need and NPSTC's previous recommendation to dedicate the reserve channels for deployable trunked systems could both be met while minimizing potential interference.

¹ Public Notice: Public Safety and Homeland Security Bureau Seeks Comment on Request for Waiver by Los Angeles Regional Interoperable Communications System Joint Powers Authority to Apply for 700 MHz "Narrowband Reserve Channels" DA 13-39, RM-11433, released January 11, 2013.

The National Public Safety Telecommunications Council

The National Public Safety Telecommunications Council is a federation of public safety organizations whose mission is to improve public safety communications and interoperability through collaborative leadership. NPSTC pursues the role of resource and advocate for public safety organizations in the United States on matters relating to public safety telecommunications. NPSTC has promoted implementation of the Public Safety Wireless Advisory Committee (PSWAC) and the 700 MHz Public Safety National Coordination Committee (NCC) recommendations. NPSTC explores technologies and public policy involving public safety telecommunications, analyzes the ramifications of particular issues and submits comments to governmental bodies with the objective of furthering public safety telecommunications worldwide. NPSTC serves as a standing forum for the exchange of ideas and information for effective public safety telecommunications.

The following 15 organizations participate in NPSTC:

- American Association of State Highway and Transportation Officials
- American Radio Relay League
- Association of Fish and Wildlife Agencies
- Association of Public-Safety Communications Officials-International
- Forestry Conservation Communications Association
- International Association of Chiefs of Police
- International Association of Emergency Managers
- International Association of Fire Chiefs
- International Municipal Signal Association
- National Association of State Chief Information Officers
- National Association of State Emergency Medical Services Officials
- National Association of State Foresters
- National Association of State Technology Directors
- National Emergency Number Association
- National Sheriffs' Association

Several federal agencies are liaison members of NPSTC. These include the Department of Homeland Security (the Federal Emergency Management Agency, the Office of Emergency Communications, the Office of Interoperability and Compatibility, and the SAFECOM Program;

Department of Commerce (National Telecommunications and Information Administration); Department of the Interior; and the Department of Justice (National Institute of Justice, CommTech Program). In addition, Public Safety Europe is also a liaison member. NPSTC has relationships with associate members, the Telecommunications Industry Association, the Canadian Interoperability Technology Interest Group, the National Council of Statewide Interoperability Coordinators and the Utilities Telecom Council and the Alliance for Telecommunications Industry Solutions.

NPSTC Comments

When the Commission defined the rules for the 700 MHz narrowband spectrum, it divided the available channels into several categories. These include State License Channels, Narrowband Interoperability Channels, Narrowband Reserve Channels, General Use and Narrowband Low Power Channels Subject to Regional Planning, and Narrowband Low Power Itinerant Channels. Currently, twenty-four channel pairs, based on prevalent 12.5 kHz technology, comprise the Narrowband Reserve Channels. Use of 6.25 kHz or equivalent efficiency P25 Phase II TDMA technology as proposed in the LA-RICS petition would yield the equivalent of 48 channel pairs. LA-RICS submitted a request for waiver of Section 90.531(b)(2) of the Commission's rules to license these reserve channels.

LA-RICS notes that passage of Section 6103 of the Middle Class Tax Relief and Job Creation Act of 2012 created a huge, unanticipated hurdle for LA-RICS. That Section requires the Commission to reallocate and start auctioning the 470-512 MHz T-Band spectrum used by public safety no later than 9 years after enactment (by February 22, 2021) and to complete relocation of public safety entities from the band within two years following completion of the auction, which would fall in 2023. The request for waiver states:

LA-RICS has determined that, absent repeal of Section 6103, the only viable approach is to deploy a hybrid 470-512 MHz/700 MHz narrowband system. This would provide a logical path to operate a full public safety grade communications system in both bands, and allow for a gradual migration from

470-512 MHz within the time period required by the Act. It also provides flexibility in the event that the statute is modified in the future to allow public safety licensees to remain in the band.²

In support of its request for waiver, LA-RICS indicated that deployment of the hybrid system would require more 700 MHz narrowband channels than currently available and therefore LA-RICS requests a waiver to use the reserve channels. According to the request, the channel requirements for LA-RICS are based upon computerized coverage analysis using prospective sites chosen by LA-RICS members, use of simulcast, P25 TDMA Phase 2 equipment (which has equivalent efficiency of 6.25 kHz per voice path), frequency re-use, computerized capacity analysis based on information from LA-RICS members and other best practices.

As recognized in the Commission's Public Notice seeking comment on the LA-RICS request, NPSTC submitted a Petition for Rulemaking in 2008 addressing the need for channels in the 700 MHz band to support a variety of operational requirements.³ One element of that Petition was a recommendation that the same reserve channels which LA-RICS has requested be used to support deployable mobile trunked infrastructure that can be transported into an incident area. Such facilities could be very beneficial when and if a major disaster or event was to devastate or overload permanent public safety facilities. In requesting comments on the LA-RICS Petition, the Commission indicated the Petition "...raises issues relevant to the NPSTC petition..."⁴

NPSTC recognizes the need expressed by LA-RICS. LA-RICS currently operates an extensive T-Band network to support its public safety communications. As referenced in LA-RICS' request for waiver to use the reserve channels, unless the requirement for the Commission to reallocate, auction and clear the public safety T-Band spectrum is repealed, LA-RICS faces the need for a significant amount of alternative spectrum on which to relocate its T-Band operations.

² LA-RICS Request for Waiver, January 17, 2013 at page 5.

³ Petition for Rulemaking of the National Public Safety Telecommunications Council, submitted February 8, 2008. The Commission subsequently issued a Public Notice: Public Safety and Homeland Security Bureau Seeks Comment on Petition for Rulemaking of the National Public Safety Telecommunications Council Concerning the 700 MHz Public Safety Narrowband Channels, RM-11433, *Public Notice*, 23 FCC Rcd 395 (PSHSB 2008).

⁴ Public Notice at footnote 13.

However, based on the past experiences of some public safety practitioners in NPSTC, there are situations in which such permanent use of the 700 MHz reserve channels could conflict with use of those channels for deployable mobile trunked infrastructure as recommended in the NPSTC 2008 Petition for Rulemaking. Deployable operation would normally not be viable in jurisdiction A if it is within interference range of jurisdiction B's permanent use of the same channels. There could of course be situations in which jurisdiction B's RF infrastructure had also been devastated by a disaster and therefore the channels could be used by the deployable system.

The 2008 NPSTC Petition for Rulemaking proposed some initial rules to consider in designating the reserve channels for mobile deployable trunked infrastructure.⁵ NPSTC also recognized that additional work needed to be done through a follow-up rulemaking proceeding to address coordination and rules for deployable operation. NPSTC urges the Commission to address its petition in a follow-up Notice of Proposed Rulemaking without further delay. That proceeding could provide a venue to determine if there are ways to minimize conflicts between deployable use as NPSTC recommended in 2008 and the permanent use LA-RICS addresses in its request for waiver.

There may be mechanisms that could be implemented so LA-RICS could install those channels for day-to-day use in compliance with whatever FCC action takes place and then make the channels available for interoperable deployable use in accordance with the deployable standard specs when needed. Another option to consider is apportioning the reserve channels between deployable use and permanent use. Further work is needed to determine if these are approaches that would be viable from regulatory and operational perspectives.

⁵ For example, NPSTC recommended a channel-grouping approach and use of the ANSI/TIA 102 Project 25 standards.

Conclusion

In summary, NPSTC recognizes the spectrum need addressed in the LA-RICS request for waiver. At the same time, NPSTC is concerned there are situations in which use of the reserve channels proposed could conflict with their use for deployable mobile trunked infrastructure needed in disaster situations. NPSTC recommends these issues be explored further in comments to a follow-up Notice of Proposed Rulemaking that needs to be issued to address the previous 2008 NPSTC petition, among other outstanding 700 MHz narrowband spectrum issues.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ralph A. Haller", written over a horizontal line.

Ralph A. Haller, Chairman

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